

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

BARRYER HEIRS, *et al.*

§

v.

§

CIVIL ACTION NO. 6:12CV653

LACY OPERATIONS LTD., *et al.*

§

ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation (document #25) recommends that Plaintiffs' Motion to Dismiss Without Prejudice (document #24) be granted and that the complaint be dismissed without prejudice pursuant to Fed.R.Civ.P. 41. No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

ORDERED that the Plaintiffs' Motion to Dismiss Without Prejudice (document #24) is **GRANTED** and the complaint is **DISMISSED** without prejudice pursuant to Fed.R.Civ.P. 41. Any motion not previously ruled on is **DENIED**.

So ORDERED and SIGNED this 15th day of February, 2013.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE